

## CITIZEN POLICE ADVISORY REVIEW BOARD MEETING MINUTES

Chair Hart called the regular meeting of the Citizen Police Advisory Review Board (CPARB) to order on Tuesday, July 20, 2004 at 5:31 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.

Commission Members	Representing	Present/Absent
Suzanne Elefante	Mayor	Present
Ida Wilber	Ward 1	Present (arrived at 5:33)
Elizabeth Bottka-Smith, Vice Chair	Ward 2	Present
Vicki Ann Hart, Chair	Ward 3	Present
Cynthia Schiesel	Ward 4	Present
Holli McGarry	Ward 5	Present
William O. Wills	Ward 6	Absent
Advisory Members		
Charles A. Lagattuta	CPARB	Present
Susan Thornton	CPARB	Present
Jeremy A. Tor	CPARB	Present
Barry Hirsch	CPARB	Present
Ex-Officio Non-Voting Members		
Andrea Ibáñez	City Manager's Office	Absent
Captain Bill Washington	TPD	Absent
Officer Steve Beller	TPOA	Present

Staff Present
Assistant Chief Kermit Miller, TPD
Lt. Jim McShea, TPD (representing Capt. Washington)
Lt. Perry Tarrant, TPD
Officer Larry Lopez, TPD
Liana Perez, Independent Police Auditor
Lewis M. Anderson, City Attorney's Office
Ceci Sotomayor, Recording Secretary
Visitors
Roy Warden
Marie Fortin
M. Williams
Ronald Manzi
Dante Manzi

AGENDA ITEM	И	MOTION	ACTION	FOLLOW-UP RESPONSIBILITY
Call to Order / Roll     5:31 PM	Call:			
2. Approval of Notes	of 05/18/2004.	MOTION by Ms. Elefante, second by Ms. Bottka Smith to approve the notes of May 18, 2004 with corrections. Voice vote passed 6 to 0. Mr. Wills absent.	<ul> <li>Correction: Attendance for Ms. Wilber should reflect that she left at 7:30 p.m.</li> <li>Correction to Item 2 under the action section: The sentence "Date on agenda in item 3 to reflect 04/20/2004" should be removed.</li> <li>Correction to Item 6b, third bullet: TPOS should be TPOA.</li> <li>Correction to Item 13, 4<sup>th</sup> bullet should read: "Other suggestions for future agenda items included addressing hand gun issues; how orders of protection are handled and enforced; training for death notification; and frequency of traffic stops."</li> </ul>	
Approval of Notes	of 06/15/2004.	MOTION by Ms. Elefante, second by Ms. Bottka Smith to approve the notes of June 15, 2004 with corrections. Voice vote passed 6 to 0. Mr. Wills absent.	<ul> <li>Correction to Attendance: Ms Elefante did not arrive late</li> <li>Correction to Item 6A, 2<sup>nd</sup> bullet, 2<sup>nd</sup> sentence should read: "This award was granted to one police department in the state."</li> </ul>	
3. Call to the Audience	се		Ronald Manzi was glad that the Mayor and Council is allowing the hiring of more police officers.	
4. Presentation on TF Police Officer's As Larry Lopez, Griev TPOA	sociation) Officer		Officer Lopez introduced himself as the Grievance Chairman for the Tucson Police Officers Association and also a recruiter for TPD. The organization was established in 1993. It is the official bargaining unit for eligible TPD officers. It assists officers in bargaining for wages, working conditions and hours and coordinates other issues with the	

	police department. TPOA assists officers who may be facing disciplinary situations and helps them in the grievance process. Although the organization works hard to protect the rights and due process of the officers, it does not condone bad behavior. TPOA has approximately 800 members. It is very involved with the community and sponsors various projects such as "shop with a cop," fingerprinting and photographing children for identification purposes, various charities, and drug awareness activities. They also assist officers in personal and crisis situations. Ms. Wilber asked if officers were required to pay dues and what the dues were used for. Officer Lopez responded that officers pay dues and the majority of union dues go to legal counsel, some charity programs, and rent for office equipment.	
5. Marie Fortin, citizen complaint	<ul> <li>Ms. Fortin presented her complaint reference the treatment her son by the Tucson Police Department during the arrest of her 15-year-old son. She alleges use of excessive force stemming from his injuries as a result of being shot 6 times with pepper balls. Ms. Fortin filled out a complaint with the Independent Police Auditor and the incident is currently being investigated by Tucson Police Department Internal Affairs.</li> <li>This item will be put on next month's agenda to allow TPD time to complete their investigation.</li> </ul>	Lt. McShea will report on the progress of this case.
Follow-up letter on citizen Roy     Warden's complaints regarding     Officer CK Walter.	Draft letter was included in everyone's package. There were no recommended changes to the content. However, Ms. Bottka-Smith requested that the drafted letter be condensed to one page and completed with Mr. Warden's address. Chair Hart instructed that the letter be sent to Mr. Warden and a	City Clerk's Office will send the completed letter to Mr. Warden and Barbara LaWall.

	carbon copy to the office of Barbara LaWall, Pima County Attorney.	
7. Tucson Police Department A. TPD Updates	<ul> <li>A. Lt. McShea advised that TPD is proceeding with the hiring process of more officers. The background unit is working diligently to complete as many backgrounds as possible.</li> <li>The police department will be participating with the National Night Out on August 3, 2004 in various neighborhoods.</li> <li>Several officers participated in a review conducted by an outside entity to analyze the psychological health of the department. The department is potentially in place to receive an award in this area.</li> <li>The National Uniform Manufactures Uniform Association is providing an award to the Tucson Police Department for their overall uniform appearance.</li> <li>On August 11, 2004 the Tucson Police Department will have their Semi-Annual Awards Ceremony at the Leo Rich Theater at 9 a.m. All Board members are invited to attend.</li> </ul>	Lt. McShea will present the results when received.
B. Office of Internal Affairs	<ul> <li>B. Lt. McShea reported that they are a couple of weeks from going to direct reporting into their database which includes police reports, ride along reports, use of spit socks and use of long guns.</li> <li>He also reported that they are moving forward with the Early Assistance Program.</li> <li>A new secretary has been hired.</li> <li>Ms. Thornton inquired when the volunteer program would begin again. Lt McShea indicated that they are waiting for the Crime Prevention Unit to be reconstituted, probably in the January or February timeframe.</li> </ul>	
8. Comments to Mayor and City Council	On Inquiry #17615, and Inquiry #17651, shows status pending. Lt. Terrant stated that the investigation is pending.	Lt. McShea will provide an updated report on the two inquiries.

	<ul> <li>On Inquiry #18273, there was a question on whether the noise ordinance covered loud air conditioners. Lt. McShea explained that if a noise exceeded the prescribed decibel level, the noise ordinance would be enforceable. However, officers do not routinely carry decibel reader in the field.</li> <li>On Inquiry #18307, there was a question if the child abuse incident happened in Phoenix. Lt. Terrant replied that the call came from Tucson but the incident happened in Phoenix and the children are in CPS custody in Phoenix.</li> </ul>	
9. RECESS	Recess taken from 6:37 p.m. to 6:42 p.m.	
Office of Independent Police Auditor     A. Monthly Contacts	<ul> <li>A. Ms. Perez reported that the conversion of the new system is completed. She will start providing the Board with the new reports next month. They will be more detailed.</li> <li>Various types of complaints have recently been filed and will be presented at next month's meeting.</li> </ul>	
B. Community Outreach / Programs Update	B. Ms. Perez reported that she made a presentation to a lateral class at the police academy. One of the topics was the support of the mediation program. Additionally, Channel 12 will report on TPD's mediation program. Ms. Perez anticipates this will be completed in September. Lt. McShea further confirmed that the department is trying to promote the mediation program as many ways as possible and encourage the use this program.	
11. Random Review of TPD Complaints	A) 04-0112 By consensus, the Board agreed that the investigation was fair and thorough. However, CPARB feels that Capt. Harper's comment that the complainants "have a biased motivation," has no bearing on the	

	case and therefore is an inappropriate comment.  B) 04-0079 By consensus, the Board agreed that the investigation was fair and thorough and has no concerns.  C) 04-0203 By consensus, the Board agreed that the investigation was fair and thorough and has no concerns. CPARB commends Lt. Lara for doing a good job recognizing and sorting out the multiple complaints in this case. In the letter sent to the complainant, CPARB recommends that the letter detail the different complaints and give the disposition of each.	
12. CPARB Customer Satisfaction Survey	<ul> <li>As of the July 1st, Lt. McShea reported that as of July 1<sup>st</sup>, his office has sent 51 letters to the City Clerk's office for processing. Three surveys were returned completed and two were returned undeliverable.</li> <li>Ms. Bottka-Smith asked the City Clerk's office to note how many surveys come back "not deliverable" in order to keep statistics on return rates.</li> <li>There was a discussion on the possibility of inserting the case number on the surveys which would allow CPARB to follow up. However, it was decided that this would take away from the anonymity of the surveys. Lt. McShea suggested adding a statement to the survey which would give the recipient the option to add the case number and to request further review of the case.</li> </ul>	Lt. McShea will review the letter format and report back to the Board
13. Report on Website and bios	Ms. Bottka-Smith and Ms. Elefante met with personnel from the City Information Technology Department to talk about CPARB's web site. The City was cooperative and will be assisting with the basic development of the site. The details of how	

		the website will be updated are still in discussion. Ms. Bottka-Smith emailed various items to be included on the web site such as annual report, CPARB Rules and Regulations, and Red Tag Letter. Ms. Bottka-Smith reminded the board members to complete their bios for the website.  • Ms. Bottka-Smith would like to have an item on next month's agenda to discuss and review the "Procedures for Review of Citizen Complaints" and the "CPARB Complaint Process Checklist."	
14. Future Meetings and Agenda Items:		Chair Hart stated that there were several items discussed at this meeting that will be considered for next month's agenda.  Other suggestions were:  - Evidence Handling  - Information on training to college students on the coordination and difference between University of Arizona Police, Pima Community College Police and Tucson Police Department.	
15. Report from the Chair / Announcements		Chair Hart reminded the Board to try to attend the August 11 <sup>th</sup> TPD semi- annual award ceremony.	
16. Adjournment: - Time: 7:20 p.m.	MOTION by Ms. Elefante, second by Ms. Bottka-Smith to adjourn. Voice vote passed 6 to 0. Mr. Wills absent.		

Pursuant to Mayor and Council direction (Regular Session, September 15, 1975) the Committee's minutes are transcribed in a summary style format. Expanded versions of certain specific items, as determined by the Chairperson of the Committee, will be provided upon request. These summary minutes comply with the requirements of the State's Open Public Meeting Law.

Verbatim Tape Record on file in City Clerk's Office Available upon Request